

CONGRATULATIONS TO ANNA TAYLOR CELEBRATING HER 100TH BIRTHDAY

Mr. ASHCROFT. Mr. President, I rise today to encourage my colleagues to join me in congratulating Anna Taylor of Grandview, MO, who will celebrate her 100th birthday on November 22. Anna is a truly remarkable individual. Anna has witnessed many of the events that have shaped our Nation into the greatest the world has ever known. The longevity of Anna's life has meant much more, however, to the many relatives and friends whose lives she has touched over the last 100 years.

Anna's celebration of 100 years of life is a testament to me and all Missourians. Her achievements are significant and deserve to be recognized. I would like to join Anna's many friends and relatives in wishing her health and happiness in the future.

COMMERCIALIZATION OF BIOTECHNOLOGIES

Mr. ABRAHAM. The Federal Government has spent millions of dollars during the past decade to support research laboratories, universities and the private sector to develop technologies to reduce the Nation's reliance on imported oil through the use of renewable energy sources, and to improve the efficiency and reduce the cost of cleaning up federally-owned sites which are contaminated with hazardous waste. This research is extremely valuable and is directed at addressing some of the most serious challenges facing our Nation. Unfortunately, these national research and development initiatives often do not provide maximum benefit to the Federal Government or to the private sector, since the technologies are not demonstrated to be effective on a commercial scale. It is my hope that as we continue to pursue these issues, the Federal Government can do more to help give the lessons learned from this research broader application.

A new program which recently has come to my attention—Acceleration Demonstration of Federally Sponsored Research for Renewable Energy Production and Environmental Remediation—seeks to remedy this problem. It seems to me that through a cooperative effort with the Department of Energy, its laboratories and other federally-sponsored research institutions, non-profit research and business development organizations could help commercialize existing federal research so that Americans could benefit more widely from these Federal initiatives.

Mr. BURNS. I agree with my colleague from Michigan. Commercialization of Federal research, particularly through non-profit organizations, could play a significant role in expanding the benefits from this research and get the most from our Federal research investments.

Mr. DASCHLE. The Senator is right. The Federal Government should do

more to help commercialize the results of federally-sponsored research. DOE should consider what steps it can undertake to better achieve this objective.

Mr. DOMENICI. The Department of Energy has a number of programs by which it might be able to team with non-Federal entities to commercialize technologies developed by the Department. I would encourage the Department of Energy to review the proposal mentioned by my colleagues and, to the extent appropriate within existing Department of Energy technology transfer programs, consider it for possible funding.

Mr. REID. That is correct. Funding is available under this bill for DOE in the Acceleration Demonstration of Federally Sponsored Research for Renewable Energy Production and Environmental Remediation programs account that can be awarded for commercialization of renewable fuels and environmental cleanup technologies on a competitive basis. I would urge DOE to seriously consider supporting this work in fiscal year 1998 up to the \$5 million level.

Mr. BURNS. That is my view as well.

THE VILLHAUERS OF HOSMER, SOUTH DAKOTA

Mr. DASCHLE. Mr. President, I am looking forward to returning to South Dakota next week to join the citizens of my home state in honoring the men and women who have so faithfully served our nation in the armed forces. While all those who have given themselves to the call of duty will be on our minds on Tuesday, November 11, 1997, there is one family that will especially be on my mind.

The Villhauers of Hosmer, South Dakota hold a distinction that may well separate them from any other family in this nation. Mr. and Mrs. Fred Villhauer raised 7 sons in Hosmer, all of whom served this nation concurrently during World War II. Fred Jr., John, Henry, Albert, Arthur, Edmund and Herman Villhauer all answered the call of this country, and laid their lives on the line for the security and ideals of the United States.

Six of the brothers would survive the second world war and return to the United States. Albert, unfortunately, was killed during the retaking of the Philippine Islands on January 30, 1945. Fred Jr. returned to my hometown of Aberdeen where he lived until several years ago. The 5 other brothers are all alive today.

I should add that an 8th Villhauer brother, Paul, was too young to serve in World War II. But he joined the Army shortly after the war and eventually served during the Korean War. Paul Villhauer has also passed away.

Service to the United States seemed to run in the family for the Villhauers. The grandparents of the 8 brothers would have over 20 of their descendants serve in World War II, including 3 at Pearl Harbor. In all, more than 60

members of this family would join the armed forces of the United States of America. Six generations later, this segment of the Villhauer family boasts more than 1,000 descendants. This information was graciously provided by Emil Vilhauer, a former resident of South Dakota now residing in Wisconsin.

As Veterans' Day draws near, let us remember all who have served this nation, and especially those who were called to make the ultimate sacrifice to preserve our freedom. But this year in particular, I hope my colleagues and all the citizens of our great nation will join me in remembering one very special family that knows the true meaning of love of country: the family of Fred and Catherine Villhauer of Hosmer, South Dakota.

ENCRYPTION

Mr. ASHCROFT. Mr. President, I wanted to take a moment to associate myself with the comments of the majority leader from October 21, 1997. Senator LOTT has correctly highlighted the FBI's constantly shifting arguments and the Bureau's seemingly relentless attempts to grab more power at the expense of the Constitution, particularly the fourth amendment's protection of privacy and the fifth amendment's guarantee of due process.

The FBI legislative proposal goes far beyond the Commerce Committee's misguided encryption legislation in further disregarding our Constitution. Instead of working with those who understand that S.909 gives the FBI unprecedented and troubling authority to invade lives, the FBI has attempted to grab even broader authority. The Senate would be foolish to pass S.909. In no way can we even consider the ill-advised FBI approach. The reach of the FBI has now extended so far that the President has taken the other side of the issue and supported a free market approach, according to his public comments delivered abroad.

I can only conclude that the FBI has introduced its proposal as a ploy to make S.909 look like a reasonable compromise. The only other explanation for the FBI's proposal is that the Bureau will not be satisfied with S.909, but instead will continue to work to erode our Constitutional protections. In fact, the new proposal only draws attention to the many problems of the commerce Committee language. Neither proposal is acceptable.

The issue of encryption must be revisited in a real and serious way next year, both at the committee level and in the Senate chamber, to examine the many Constitutional implications of the various proposals. I look forward to working with the Majority Leader and other Senators who have expressed interest in encryption legislation.

I yield the floor.

Mr. ABRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

UNANIMOUS CONSENT REQUEST— H.R. 2516

Mr. ABRAHAM. Mr. President, I rise for the purpose of seeking unanimous consent that the Senate now proceed to Calendar No. 189, H.R. 2516.

Mr. WARNER. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. ABRAHAM. Mr. President, I regret that objection has been raised in this context.

Mr. President, if the Senator will yield for a question, Does his objection to consideration of H.R. 2516 mean that the Senate will not take up this bill in this session?

Mr. WARNER. Mr. President, that is correct.

Mr. ABRAHAM. I am disappointed over that decision, Mr. President, for passage of H.R. 2516 would have provided my State of Michigan with approximately \$200 million more than we averaged under ISTEA. However, I stand by ready to assist the chairman in ensuring all States receive a fair and equitable return on their gas tax dollar.

Mr. WARNER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMENDING SENATOR ROBERTS

Mr. LOTT. Mr. President, I want to say what an excellent job you are doing as Presiding Officer. I understand you are fast approaching the amount of time serving in the chair where you will receive the "Golden Gavel" recognition. I look forward to being able to come to the floor and pay tribute to you when that time is acquired.

The PRESIDING OFFICER. The Senator is correct.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the Executive Calendar: Calendar Nos. 381, 428 through 439, 444 through 447, 451 through 453, 456 and 466. I further ask unanimous consent that the nominations be confirmed; that the motion to reconsider be laid upon the table; that any statements relating to these nominations appear at the appropriate place in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Saul N. Ramirez, Jr., of Texas, to be an Assistant Secretary of Housing and Urban Development.

DEPARTMENT OF STATE

Nancy H. Rubin, of New York, for the rank of Ambassador during her tenure of service as Representative of the United States of America on the Human Rights Commission of the Economic and Social Council of the United Nations.

A. Peter Burleigh, of California, to be a Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Deputy Representative of the United States of America to the United Nations.

Bill Richardson, of New Mexico, to be a Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America to the United Nations.

Richard Sklar, of California, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America to the United Nations for UN Management and Reform.

Betty Eileen King, of Maryland, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Representative of the United States of America on the Economic and Social Council of the United Nations.

UNITED STATES INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Kirk K. Robertson, of Virginia, to be Executive Vice President of the Overseas Private Investment Corporation.

Terrence J. Brown, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be an Assistant Administrator of the Agency for International Development.

Mark Erwin, of North Carolina, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 1999.

Harriet C. Babbitt, of Arizona, to be a Deputy Administrator of the Agency for International Development.

Thomas H. Fox, of the District of Columbia, to be an Assistant Administrator of the Agency for International Development.

UNITED STATES INFORMATION AGENCY

Cheryl F. Halpern, of New Jersey, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 1999. (Reappointment)

Carl Spielvogel, of New York, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 1999. (Reappointment)

DEPARTMENT OF ENERGY

Linda Kay Breathitt, of Kentucky, to be a Member of the Federal Energy Regulatory Commission for a term expiring June 30, 2004.

Curt Herbert, Jr., of Mississippi, to be a Member of the Federal Energy Regulatory Commission for the remainder of the term expiring June 30, 1999.

THE JUDICIARY

John M. Campbell, of the District of Columbia, to be Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Anita M. Josey of the District of Columbia, to be Associate Judge of the Superior Court

of the District of Columbia for the term of fifteen years.

DEPARTMENT OF STATE

Betty Eileen King, of Maryland, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador.

DEPARTMENT OF JUSTICE

Seth Waxman, of the District of Columbia, to be Solicitor General of the United States.

THE JUDICIARY

Stanley Marcus, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

Jerome B. Friedman, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Norman K. Moon, of Virginia, to be United States District Judge for the Western District of Virginia.

NOMINATION OF CURTIS L. HEBERT, JR.

Mr. LOTT. Mr. President, today the Senate is sending two very distinguished and qualified new Commissioners to the Federal Energy Regulatory Commission. I am pleased that my good friend Curtis L. Hebert, Jr. of Pascagoula, MS, is one of them.

Curt has served the State of Mississippi as a member of the Public Service Commission for several years. During that time, he has demonstrated the ability to balance the diverse utility interests in our State. This is no easy task. Mississippi is the home to both public and private power companies, PUHCA's and providers of all sizes. Curt has proven that he has the skills necessary to address the needs of each of these entities, while keeping the best interest of the consumer in mind.

As a former member of the Senate Energy and Natural Resources Committee, I certainly appreciate the high standard that FERC nominees are held to during committee consideration. Throughout the nomination process, Curt has demonstrated that he has not only the knowledge, but the determination and skills to get the job done. He has been a responsible and able steward of the utility industry in Mississippi. I expect that he will serve the FERC and our Nation with the same enthusiasm and foresight.

We all must recognize that electric utility deregulation is on the horizon. How and when a new system will be created remains to be seen. What is certain, however, is that the FERC will be instrumental in guiding Congress toward competition in the utility industry. I am confident that Curt has the experience and insight necessary to help us reach the right balance of interests. Most importantly, Curt understands what deregulation means on the State level.

There is no industry as complex as the utility world—and none that impacts the lives of Americans more directly every day. The challenge ahead are great and must be tackled head on. There is no denying that the FERC Commissioners have their work cut out for them.